



City of Rio Rancho

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JAMES C. JIMENEZ
CITY ADMINISTRATOR

March 18, 2002

Rules Docket Clerk
Office of the General Counsel
Federal Emergency Management Agency, Rm. 840
500 C Street, SW
Washington, DC 20472

Dear Sir or Madam:

The City of Rio Rancho has reviewed the proposed FEMA Rule for Federal Disaster Aid to Individuals and Households. Based on the advice of staff, we offer the following comments for your consideration:

- 1) Single registration period and consolidating programs is good. Whatever simplifies the process for disaster victims is good. See also number 6, below.
- 2) Giving states an option to administer programs independent from the FEMA processing system is unnecessary bureaucracy. This can only serve to make programs more difficult for victims to access and obtain assistance. It is not a good idea.
- 3) We have several comments regarding housing assistance program changes:
 - a. A \$5,000 repair cap is not much. Are we trying to really help those who need help the most? In most cases, a roof could not be replaced with such a limit.
 - b. Replace a house for \$10,000? Where can you find such housing in the U.S.? Certainly, we have no housing this would apply to in our community. Why even have this provision?
 - c. We are willing to rent alternate housing or provide temporary housing for victims but will no longer provide rent/mortgage assistance so people can continue to live in existing housing. In many disasters, people lose jobs because the business they work for is damaged but their home is not. This will not save money; it will simply force people to abandon their undamaged property to use temporary housing when they cannot pay their rent/mortgage, compounding economic impacts on the local community. This is a change which must be reconsidered.

d. Why would we put temporary housing in a flood hazard area? One of the major mitigation efforts in recent years was to buy out and relocate flood prone properties. It would appear to be the "intent of Congress" that owners of properties damaged in floods who receive FEMA disaster assistance should be required to buy flood insurance as a condition to reduce the need for future FEMA disaster assistance. This is reflected in later discussion where we note FEMA is eliminating the GFIP and requiring individuals to pay for flood insurance or not be eligible to receive subsection 408e assistance in the future -- we agree, people should be responsible for their own protection. Interpreting this to only apply in flood hazard areas is absurd -- those properties are already required to have flood insurance.

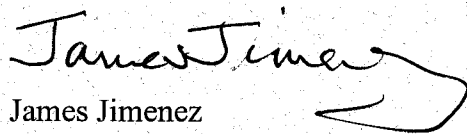
4) Requiring sharing of disaster victim information is necessary -- how else can we be sure all eligibles are receiving what they need and deserve. Databases should be disaster specific. To those who object on privacy grounds we have a simple answer: you don't have to provide the information or approve it being shared. However, you also cannot get money from the programs in question. Program participation is always voluntary but you must comply with the program requirements to participate.

5) Regarding section 206b of the Disaster Mitigation Act of 2000: this provision is superceding the President's authority to determine the level of federal assistance needed. Under the Stafford Act, there is a difference between an emergency declaration and a disaster declaration. This provision in the Disaster Mitigation Act eliminates the distinction. This potentially can cost the federal government much more than any other program change: it makes the broad range of individual assistance available in every declaration. This is not wise.

6) In general, we believe the time estimates for Applicants to complete paperwork are understated. The goal to reduce time spent, complexity and paperwork burden is laudable.

Thank you in advance for considering our comments.

Sincerely,



James Jimenez
City Administrator

JCJ:RB:tnh